IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE SRI JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 17431 of 2005

Date: 17.08.2005

Between:

Gajjala Saraiah, S/o. late Rajam,

Khammam District.

PETITIONER

Vs.

1. The Special Deputy Collector (Tribal Welfare),

Bhadrachalam, Khammam District and others.

RESPONDENTS

THE HON'BLE SRI JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 17431 of 2005

ORDER:

This writ petition is filed by the petitioner aggrieved by the inaction of the second respondent in passing orders of stay, pending disposal of the appeal filed by him.

2. It is stated that the petitioner is the owner and possessor of an extent of Ac.0.35 guntas of land in Survey No.69/A situated at Penagadapa Village, Kothagudem Mandal, Khammam District, having acquired the same by way of succession. It is also stated that the first respondent initiated proceedings against him under the A.P. Scheduled Areas Land Transfer Regulation 1/1959 in L.T.R.No.63/2005/KGM *suo motu* on the ground that the petitioner, being a non-tribal, is in possession of the land in scheduled area. The first respondent, after conducting necessary enquiry and after considering the material on record, passed an order of eviction of the petitioner from the land in question. Aggrieved by the said order, the petitioner filed an appeal before the second respondent on 05.07.2005 and also sought for stay of eviction pending disposal of the appeal. But, however, the second respondent did not pass any orders. Hence, the petitioner has come up with the present writ petition.

3. Heard the learned counsel for the petitioner and the learned Government Pleader for Social Welfare.

4. In view of the pendency of the appeal before the second respondent, the writ petition is disposed of directing the second respondent to dispose of the appeal expeditiously, preferably within a period of three months from the date of receipt of a copy of this order. Pending disposal of the appeal, the third respondent is directed not to evict the petitioner from the land in question.

5. The writ petition is accordingly disposed of. No costs.

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S. Ananda Reddy, J

Date: 17.08.2005

Note: Furnish CC in 3 days

B/o

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